

REMARKS/ARGUMENTS

This case has been reviewed and analyzed in view of the Official Action dated 17 June 2004. Responsive to the objections and rejections made by the Examiner in the outstanding Official Action, Claims 1-3 have been amended and Claims 4-8 have been canceled from this case to more clearly clarify the inventive concept of the Applicant.

Prior to a discussion of the Examiner's objections and rejections made in the outstanding Official Action, it is believed that it may be beneficial to briefly review the subject Patent Application system in light of the inventive concept of the Applicant. The subject Patent Application system is directed to an audio and video signal cable. As shown in Fig. 1 of the subject Patent Application Drawings, the cable includes at least one first core comprising tinsel 1 and surrounding insulation 2. A small solid conductor 3 and its insulation 4 comprise at least one second core, a large solid conductor 5 and its respective insulation 6 comprise at least one third core and a cross-sectionally rectangular flat conductor 10 and its respective insulation 9 comprise at least one fourth core. The small solid conductor, the large solid conductor, and the cross-sectionally rectangular flat conductor may be made of silver-copper alloy, tinsel, enamel covered wire, or pure fiber covered copper.

The Examiner has objected to the Drawings due to a lack of proper cross-hatching, as required by MPEP § 608.02. A set of Substitute Drawings for Figs. 1-7 are being submitted with this Amendment for the Examiner's approval. Both a set of Formal

Drawings and a set of Annotated Drawings, showing changes, are being filed with this Amendment.

The Examiner has objected to the Abstract of the Disclosure for referring to purported merits or speculative applications of the invention. These references have now been deleted from the Abstract and it is believed that the Abstract now satisfies the requirements of MPEP § 608.01(b).

The Examiner has objected to Claim 1 due to several informalities. Claim 1 has now been amended to overcome the Examiner's specific objections.

The Examiner has further rejected Claims 1-8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention, and also for failing to define the invention in the manner required by 35 U.S.C. § 112, second paragraph. Claims 1-3 have now been amended and Claims 4-8 have been canceled from this case, and it is believed that newly-amended Claims 1-3 now satisfy the requirements of 35 U.S.C. § 112, second paragraph.

The Examiner has additionally rejected Claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over the Eichmann Patent #6,495,763 in view of the Applicant's own admission of prior art. It is the Examiner's contention that it would have been obvious to one having ordinary skill in the art of cables at the time the invention was made to modify the conventional conductors of Eichmann to comprise the solid conductor being a

plurality of insulated tinsel conductors, having different gauges, being two lengths of enamel covered wire, or being two lengths of 100% fiber covered copper as taught by Applicant's admitted prior art.

The Eichmann reference is directed to a specific cable ratio for high fidelity audio cables. Fig. 1 illustrates a solid core for both the signal and return conductors including a signal conductor 1, return conductor 2, conductor insulation material 3, and solid filler material 4. The Eichmann reference is directed to particular ratios of the individual strands in the cable, and though it mentions the use of high purity silver conductors and oxygen-free copper conductors, the Eichmann reference does not specify any particular preferences in the materials used for the cable.

In contradistinction, the system of the subject Patent Application includes a small solid conductor, a large solid conductor, and a cross-sectionally rectangular flat conductor which may be formed of a silver-copper alloy, two or more pieces of tinsel, two or more lengths of enamel covered wire, or two or more lengths of pure fiber covered copper. Additionally, the first core is formed of tinsel and surrounding insulation.

Referring to the "Description of the Prior Art", the Examiner has noted that reference is made to the silver-copper alloy, the 100% fiber covered copper, the enamel covered wires, and the tinsel in the prior art section. The four paragraphs on Page 2, Lines 12 to 13 of the subject Patent Application, as originally filed, are included to distinguish or differentiate the subject Patent Application system with the prior art.

Though, perhaps, poorly written, this was the Applicant's intention.

In the four paragraphs discussing particular materials utilized in the cable within the Description of the Prior Art section, the Applicant is stating the advantages and differences of these particular materials utilized in the subject Patent Application system vs. the standard prior art cables. The Applicant is not averse to amending the Prior Art section of the Specification to include language such as: "in contradistinction to standard prior art cables, the present invention system utilizes materials including...", should the Examiner suggest or require such an Amendment.

Thus, given that the Applicant did not intend to state that prior art systems include silver-copper alloys, 100% fiber covered copper, enamel covered wire, and tinsel, it is respectfully submitted that the Eichmann reference, alone or when taken in combination with the actual Applicant's admitted prior art, does not teach or suggest the use of these materials within an audio and video signal cable.

Thus, neither the Eichmann reference, nor the Applicant's admitted prior art, when taken alone or in combination, provide for: "...at least one first core comprising tinsel...each of said at least one first, second, third, and fourth cores having a gauge and a cross-sectional area associated respectively therewith...whereby said small solid conductor, said large solid conductor, and said cross-sectionally rectangular flat conductor are each selected from the group consisting of: a silver-copper alloy, two or more pieces of tinsel, two or more lengths of enamel covered wire and two or more

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lengths of pure fiber covered copper...”, as is clearly provided by newly-amended Independent Claim 1.

Thus, based upon newly-amended Independent Claim 1, it is not believed that the subject Application is made obvious by either the Eichmann reference or the Applicant's admitted prior art, when taken alone or in combination, when Independent Claim 1 is carefully reviewed.

The remaining references cited by the Examiner but not used in the rejection have been reviewed, but are believed to be further removed when patentable distinctions are taken into account than those cited by the Examiner in the rejection.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



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